

MONTANA LEGISLATIVE HISTORY

Chapter 491 19 81

Bill H 740 S _____ Original bill & history ✓c

H. Committee on Agriculture

Hearing Date(s) 2-16 ✓c

_____ c

_____ c

_____ c

Date Out 2-17 ✓c

S. Committee on Agriculture

Hearing Date(s) 3-13 ✓c

_____ c

_____ c

_____ c

3-13 - out

Did this bill originate in an interim committee? Yes No

Committee _____

Report _____

MOTION, 2/24, TO RECONSIDER ACTION, AND PLACE THE BILL BACK ON
2ND READING. MOTION FAILED, YEAS: 46; NAYS: 47

HB 738--RYAN, ELLISON, UNDERDAL, ET AL--TO CLARIFY THAT IT IS LAWFUL TO
TAKE WILDLIFE TO PROTECT PERSONS OR LIVESTOCK.

INTRODUCED: 2/12

REFERRED TO COMMITTEE ON FISH & GAME: 2/12

HEARING: 2/19

REPORT: DO PASS AS AMENDED, 2/19

2ND READING: 2/23 YEAS: 85; NAYS: 6

3RD READING: 2/26 YEAS: 91; NAYS: 6

TRANSMITTED TO SENATE: 2/25

REFERRED TO COMMITTEE ON FISH AND GAME: 3/3

HEARING: 3/10

REPORT: 3/26, BE CONCURRED IN

2ND READING: 3/27, BE CONCURRED IN

3RD READING: 3/30, YEAS: 48; NAYS: 1

RETURNED TO HOUSE: 3/30

TRANSMITTED TO GOVERNOR: 4/6

ACTION: SIGNED, 4/8

CHAPTER 306

HB 739--CONN--TO REQUIRE THAT ALL CERTIFIED AND NONCERTIFIED SCHOOL
PERSONNEL, INCLUDING VOLUNTEERS IN SPECIAL EDUCATION CLASSROOMS, MUST
SATISFY REQUIREMENTS FOR INSTRUCTION IN SPECIAL EDUCATION
TRAINING.....

INTRODUCED: 2/12

REFERRED TO COMMITTEE ON EDUCATION: 2/12

HEARING: 2/18

BILL DIED IN COMMITTEE

HB 740--SWITZER, DEVLIN, DONALDSON, ET AL--TO AUTHORIZE THE DEPARTMENT
OF LIVESTOCK TO CONDUCT RESEARCH PROGRAMS WITH REGARD TO ALL PHASES
OF BEEF PRODUCTION....

FISCAL NOTE: REQUIRED

INTRODUCED: 2/12

REFERRED TO COMMITTEE ON AGRICULTURE: 2/12

HEARING: 2/16

REPORT: DO PASS, 2/16

2ND READING: 2/21, YEAS: 76; NAYS: 12

3RD READING: 2/24, YEAS: 94; NAYS: 4

TRANSMITTED TO SENATE: 2/24

REFERRED TO COMMITTEE ON AGRICULTURE: 3/2

HEARING: 3/13

REPORT: 3/17, BE CONCURRED IN, AS AMENDED

2ND READING: 3/19, AS AMENDED, BE CONCURRED IN

3RD READING: 3/21, YEAS: 31; NAYS: 17

RETURNED TO HOUSE WITH AMENDMENTS: 3/21

2ND READING: 4/8, YEAS: 80; NAYS: 1

3RD READING: 4/9, YEAS: 93; NAYS: 1

TRANSMITTED TO GOVERNOR: 4/16

ACTION: SIGNED, 4/21

CHAPTER 491

HB 741--JACOBSEN--TO CLARIFY THE MONTANA CARD GAMES ACT BY DEFINING

47th Legislature 1981

Bill No.	Subject Matter	Date In	Sponsor	Hearing Date	Committee Action	Date Out
H.B. 640	Assistance to farmers, ranch bus men engaged in ag activi by estab the Mt. Ag. Develop. Board. auth. issuance of rev bonds for acq of ag land.	2-4-81	Lund	2-16-81	2-16 held for amd DO PASS AS AMENDED STATEMENT OF INT	2-20-81
S.B.I. 158	Statement of Intent req for this bill.. deligates rulemaking auth. to Dept.of Livestock in Sec.8	2-4-81	Senate Liv. & Irrig. Committee	3-2-81	DO PASS 3-2-81	3-4-81
S.B. 158	Act require the applic for & possession of a permit & Health Certif. unless waived before certain animals, semen or an. biol may be imported into Mt.	"	Sen.Graham	3-2-81	DO PASS 3-2-81	3-4-81
HJR 24	Joint Res Sen & Hs. of Mt. direct dept of Lv to amend milk freshness dating rules.	2-5-81	Stobie, Jensen.	X	X	X
S.B. 146	Revise apiculture prov.relat to defin, registration of apiaries, and increase in number of hives on an apiary..	2-9-81	Senator Hazelbaker	3-9-81	BE CONCURRED IN 3-9-81	3-10-81
H.B. 740	AN ACT TO AUTHORIZE THE DEPT of Livestock to conduct research Prog. w/ regard to all phases beef Prod , promote use & consump of beef & prod, provd tax....	2-12-81	Switzer	2-16-81	DO PASS	2-17-81

STATEMENT OF INTENT

H.B.740

2-16-81 Switzer

2-16-81

DO PASS

2-17-81

In reference to default, REPRESENTATIVE LUND said that this board could dispose and sell the land.

It was said that under the Homestead act, those over 65 years of age have a credit of \$100,000, one time.

REPRESENTATIVE LUND closed by saying there will be some amendments to this bill.

HOUSE BILL 740 was then presented by REPRESENTATIVE SWITZER. House Bill 740, "AN ACT TO AUTHORIZE THE DEPARTMENT OF LIVESTOCK TO CONDUCT RESEARCH PROGRAMS WITH REGARD TO ALL PHASES OF BEEF PRODUCTION AND TO PROMOTE THE USE AND CONSUMPTION OF BEEF AND BEEF PRODUCTS; PROVIDING FOR A TAX ON CATTLE TO FUND THE DEPARTMENT'S ACTIVITIES; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."
(See EXHIBIT D and Statement of Intent)

CHAIRMAN SMITH asked if there were any Proponents.

ROSANNA WINTERBURN, LEWIS AND CLARK COWBELLES spoke in favor of this bill and asked for a "do pass".

WALT JOHNSON, Montana Beef Council of Belt, Montana, spoke for H.B. 740 and stated that they do not have a good way to collect money for research and they see this bill a way of doing it. Where other states are asking \$1.00 a head, this bill asks for 25¢.

MONS TEIGEN, Montana Stockgrowers Association, spoke in favor of this bill and believes it to be the best way to operate.

JO BRUNNER, W.I.F.E. representative said that W.I.F.E. supports this bill and urges the passage. (See EXHIBIT E).

REPRESENTATIVE GAY HOLLIDAY, spoke as a proponent asking for the support of this bill.

LES GRAHAM, Department of Livestock, said they will not charge administration fees to handle the funds. PCB was different because D. Glosser did research and they were reimbursed. It will not take additional FTEs in the department unless their should be an emergency. Mr. Graham asked for support of this bill.

ALICE FRYSLIE, Montana Cattlemen Association, said the question their people have been asking is answered in the Letter of Intent.

ANN SCOTT, representing the Montana Farmers Union, spoke highly in favor of H.B. 740.

REPRESENTATIVE ELLERD also spoke as a proponent to H.B. 740.

The meeting was opened up for question from the Committee.

REPRESENTATIVE SCHULTZ asked if this tax was paid only one time a year even though the animal is sold twice.

REPRESENTATIVE SWITZER stated that this was a once a year tax.

REPRESENTATIVE ROUSH asked about nonaccessed control to pay this, like those on the reservations.

MR. SWITZER stated, "no comment".

The meeting closed on H.B. 740.

THE MEETING WAS CALLED INTO EXECUTIVE SESSION;

MOTION was made by REPRESENTATIVE FEDA that the Statement of Intent to H.B. 467 (EXHIBIT F) "do pass". MOTION PASSED.

SENATE BILL 4 was brought to the floor and it was MOVED by REPRESENTATIVE ROUSH to accept the copy of Amendments (EXHIBIT G) as presented.

Discussion was held. BOB THOFT told the Committee that the fiscal note on this was \$665,000 a year, the revenue from this bill after it was emined. The cost of collection to the county would be close to \$33,000 and no firm cost to the board or administrative costs. Theses amendments make this an appropriation bill.

REPRESENTATIVE ROUSH spoke to these amendments saying that the main essential part of funding this would come, if the amendments were adopted, from an appropriation of over \$600,000. \$300,000 plus for each biennium. That it would come from an appropriation and not a tax levy of 2 mills.

Because he comes from a reservation area REPRESENTATIVE ROUSH stated that he has alot of problems with that. The people want the weed research but argue with it because of the check-off. The committee is not necessary that is made available under this bill and that this could be done in the University. Everyone will be paying on this and will be benefited by it.

This is earmarked money, thus REPRESENTATIVE ROUSH expressed his backing in the amendments. Senator Melcher is to submit a companion bill, but doubts when the funding will come

through and also doubts about the participation of Burlington Northern and other concerns.

REPRESENTATIVE UNDERDAL said that the bill without the amendments does not accomplish what they want. That the weed problem is everyone's problem.

REPRESENTATIVE ERNST stated that he has to resist the amendments and go with the self-tax which will be an ongoing program. The big fear was "will we get general funds?".

REPRESENTATIVE ELLERD said that he too resisted the amendments. There is no way to get the appropriations, but with the approval of the bill, and go to the original bill which is a volunteer, self-tax and refundable bill. A \$600,000 appropriation will be hard to get.

It was also made mention of the fact that city people should also like the idea of weed kill, but that their production and livelihood does not exist around this problem. August 1st is the deadline to reject the tax, and if an individual does not want to participate and should he miss the deadline, he can still demand a refund.

REPRESENTATIVE ROUSH restated his MOTION to accept copy of amendments as presented. Roll call vote was taken:

SMITH	YES	UNDERDAL	YES
SCHULTZ	NO	McLANE	NO
ERNST	NO	MANUEL	NO
JENSEN	NO	BENGTSON	NO
ELLERD	NO	JACOBSEN	YES
RYAN	NO	ROBBINS	YES
FEDA	NO	HOLLIDAY	ABSENT
BRIGGS	YES	ROUSH	YES
		CONROY	YES

MOTION FAILED.

REPRESENTATIVE ELLERD amended S.B. 4 (EXHIBIT H) to show the bill in its original state as a self-tax, volunteer and refundable program and made a MOTION that the amendment 'do pass'. Question was asked with all members voting AYE with the exception of REPRESENTATIVE JACOBSEN AND REPRESENTATIVE ROBBINS who voted NO.

REPRESENTATIVE FEDA made a MOTION that SENATE BILL 4 pass as amended. MOTION CARRIED with REPRESENTATIVES JACOBSEN and ROBBINS voting NO.

THE MINUTES OF THE MEETING OF THE AGRICULTURE
COMMITTEE
February 16, 1981

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REPRESENTATIVE ELLERD made a MOTION that H.B. 740 Do Pass.
MOTION PASSED.

REPRESENTATIVE SHULTZ MOVED that the STATEMENT OF INTENT
(attached) on HOUSE BILL 740. MOTION PASSED.

MOTION was made to adjourn the meeting at 2:00 p.m.



CARL SMITH, CHAIRMAN

lmw

NAME J. R. R. R. R. BILL No. HB 740
ADDRESS W. 1st St. DATE 2/16
WHOM DO YOU REPRESENT U. I. F. E.
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: Warren involved in farm economics
suggests HB 740.

The livestock industry is
willing to support this program & the
US & per head is refundable upon
application making it a voluntary
program.

We urge the passage of HB 740

1 HOUSE BILL NO. 740
2 INTRODUCED BY Switzer, Rubin, Donohue
3 J. Ryan, C. Smith, Mark, T. West, Robert, Theis, Curtis
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
5 DEPARTMENT OF LIVESTOCK TO CONDUCT RESEARCH PROGRAMS WITH
6 REGARD TO ALL PHASES OF BEEF PRODUCTION AND TO PROMOTE THE
7 USE AND CONSUMPTION OF BEEF AND BEEF PRODUCTS; PROVIDING FOR
8 A TAX ON CATTLE TO FUND THE DEPARTMENT'S ACTIVITIES; AND
9 PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."
10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12 Section 1. Short title. [This act] may be cited as the
13 "Montana Beef Research and Marketing Act".
14 Section 2. Definition. As used in [this act],
15 "department" means the department of livestock.
16 Section 3. Department's research powers and duties.
17 (1) The department shall:
18 (a) conduct and promote scientific and practical
19 research with regard to all phases of beef production;
20 (b) encourage the use and consumption of beef and beef
21 products; and
22 (c) be responsible for administering [this act].
23 (2) The department may:
24 (a) engage in research, education, advertising,
25 promotion, and publicity;

1 (b) research and publicize statistics and other
2 reliable and useful information showing the commercial value
3 of beef and beef products;

4 (c) study state and federal legislation regarding
5 tariffs, duties, reciprocal trade agreements, import quotas,
6 and other matters affecting marketing in the beef industry
7 and protect the interests of and represent the beef industry
8 in Montana with respect to any federal or state legislation
9 or proposed legislation and any federal or state executive
10 action that may affect that industry;

11 (d) apply for grants:

12 (i) from research agencies that are financing special
13 or emergency studies; or

14 (ii) for the purchase or acquisition of facilities
15 necessary for the implementation of [this act];

16 (e) enter into agreements with recognized local,
17 state, or national organizations, public or private, to
18 promote research, education, advertising, and publicity of
19 the beef industry;

20 (f) cooperate with any local, state, or national
21 organizations, including recognized livestock groups,
22 engaged in work or activities similar to the work and
23 activities of the department provided for in [this act];

24 (g) accept any grant, donation, or gift from any
25 source, public or private, and spend it in compliance with

HB 710 10

1 [this act]; and

2 (h) adopt rules necessary for the administration of
3 [this act].

4 Section 4. Assessments -- refunds. (1) There is
5 levied, in addition to the tax on livestock prescribed in
6 Title 15, chapter 24, part 9, a per head tax of 25 cents on
7 each head of cattle that is more than 9 months of age and is
8 owned or possessed within a county for the support and
9 maintenance of research into beef production as provided in
10 [this act]. The tax shall be paid to the county treasurer of
11 that county on or before March 1 of each year.

12 (2) The tax required in subsection (1) must be paid
13 for each head of cattle that is more than 9 months of age
14 and is brought into the county after March 1 and is subject
15 to taxation and assessment under 15-24-301.

16 (3) Each county is entitled to receive \$250 annually
17 as reimbursement for the administration of this section.

18 (4) A person who has paid the tax required by this
19 section may obtain a refund of the tax upon submission of a
20 written request to the department. The application must be
21 made within 30 days after the payment of the tax and on
22 forms furnished by the department. The department shall,
23 upon receipt of a timely and otherwise properly submitted
24 refund request, refund the tax.

25 Section 5. Beef production research account -- sources

1 -- use -- expenditures. (1) There is an account in the
2 federal and private revenue fund known as the beef
3 production research account. The following shall be placed
4 in the account:

5 (a) the proceeds of all taxes collected under [section
6 4]; and

7 (b) the proceeds from all gifts, grants, and donations
8 to the department for activities authorized under [this
9 act].

10 (2) The account shall be maintained for the purposes
11 of [this act] and shall be separate from all other accounts
12 of the department.

13 (3) At least 20% of all contributions and unrefunded
14 taxes received by the department shall be paid to the
15 national livestock and meat board and at least 20% of such
16 contributions and taxes shall be paid to the national beef
17 industry council to carry out, on a national level, work and
18 programs approved by the department.

19 Section 6. Duration -- expiration -- reversion or
20 remaining funds. [This act] shall be in effect from July 1,
21 1981, to July 1, 1989. If [this act] is not renewed to
22 extend beyond July 1, 1989, any money remaining in the beef
23 production research account shall revert to Montana state
24 university to be used exclusively for beef cattle research.

-End-

STATEMENT OF INTENT

HOUSE BILL 740

A statement of intent is required for House Bill 740 because it delegates rulemaking authority to the Department of Livestock in section 3.

The purposes of the Montana Beef Research and Marketing Act are similar to those of the Montana Pork Research and Marketing Act and it is the intent of the Legislature that it be administered in a similar manner. Rules adopted under HB 740 should not be significantly different from those adopted under the Montana Pork Research and Marketing Act.

It is the further intent of the Legislature that the Department pursue the goals of the Act by expanding the research and marketing efforts that already exist. The Department should not establish any research unit or agency of its own but should carry out the purposes of the Act in cooperation with local, state, or national organizations, public or private, in carrying out all phases of research and marketing contemplated by the Bill. The Legislature expects that most Montana research and marketing activity will be handled by the Montana Beef Council.

NAME:

Allen Teigen

DATE:

2/16/81

ADDRESS:

Helena

PHONE:

442-3420

REPRESENTING WHOM?

Mont Stockgrowers Assn

APPEARING ON WHICH PROPOSAL:

AB 740

DO YOU: SUPPORT?

☒

AMEND?

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME PAT Underwood Bill No. HB 740
ADDRESS Box 1207 Bozeman, MT. DATE 16 Feb 81
WHOM DO YOU REPRESENT Mont. Farm Bureau
SUPPORT ☒ OPPOSE ☐ AMEND ☐

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

The MTFBF has policy in support
of the provisions of HB 740 and
we recommend a DO PASS.

Pat Underwood

HOUSE Intelligence Nat Res. COMMITTEE

143 740

Date 2-16-81

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE

COMMITTEE

ILL

740

Date _____

DISOR

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

HOUSE BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CON- CURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CON- CURRED IN DATE
182	1-23-81	2-6-81	2-6-81	-----	-----	-----	2-6-81	-----	
232	1-23-81	2-6-81	2-6-81	-----	-----	-----	2-6-81		
100	1-28-81	3-2-81	3-6-81	-----	-----	-----	-----	3-6-81	
107	1-28-81	3-2-81	2-9-81	-----	-----	-----	2-9-81	-----	
265	1-31-81	3-4-81	2-9-81	-----	-----	-----	-----	-----	3-9-81
247	2-7-81	3-2-81	3-9-81	-----	-----	-----	3-9-81	-----	
269	2-10-81	3-4-81	3-4-81	-----	-----	-----	3-4-81	-----	
324	2-13-81	3-4-81	3-4-81	-----	-----	-----	3-4-81	-----	
452	2-19-81	3-6-81	3-6-81	-----	-----	-----	-----	3-6-81	
488	2-19-81	3-6-81	3-18-81	-----	-----	-----	-----	3-18-81	
524	2-19-81	3-6-81	3-6-81	-----	-----	-----	-----	3-6-81	
494	2-20-81	3-9-81	3-9-81	-----	-----	-----	-----	3-9-81	
596	3-3-81	3-11-81	3-13-81	-----	-----	-----	-----	3-13-81	
667	3-3-81	3-13-81	3-13-81	-----	-----	-----	3-13-81	-----	
740	3-3-81	3-13-81	3-13-81	-----	-----	-----	-----	3-13-81	
467	3-4-81	3-13-81	3-18-81	-----	-----	-----	---	3-18-81	
450	3-4-81	3-9-81	3-9-81	-----	-----	---	3-9-81	-----	

MINUTES OF THE MEETING
AGRICULTURE, LIVESTOCK AND TAXATION
MONTANA STATE SENATE

March 13, 1981

The Agriculture, Livestock and Irrigation Committee meeting was called to order on the above date by Chairman Galt, in Room 415 of the State Capitol Building at 1:00 p.m.

ROLL CALL: All members present.

CONSIDERATION OF HB 667: Representative Audrey Roth, HD 10, reviewed the bill. She said there were some minor changes and clarifications necessary since the original bill of 1979.

The Supreme Court will supervise and provide for salaries; it will allow the Court to appoint more than one water master per division; places a deadline on the period for which a settlement can be negotiated; reduces the filing fee for claims submitted for exempt developments if filed simultaneously; and clarifies existing time allowed for objections to be allowed.

She said she's discussed this with Judge Lessley, the Legislative Oversight Committee and the Reserved Rights Compact Commission and there were no objections.

Leo Berry, DNRC, said water judges were paid through the Department. This gives it to the Supreme Court. They currently charge \$80, but now the entire appropriation can be \$40, if filed simultaneously. They first gave a 90 day period with a 30 day extension. This now extends the 30 days to 90 because some claims are very large. HB 667 is needed to integrate appropriations. Tribe and federal agencies would have until July, 1985 to negotiate.

Charlie Crane, Water Development Association, emphasized the deadline for negotiating with Indian tribes. He said the tribes will negotiate for a long time, so he feels they need a deadline or it will never get done. If the tribes don't file by the deadline, then the courts will settle. Adjudication can't be finished until this is decided.

There were no opponents.

Representative Roth, in closing, said this expedites the mandate for SB 176.

CONSIDERATION OF HB 740: Representative Switzer, HD 54, explained it restricts the scope in which the money could be distributed. It allows that the Department of Livestock would have funds to administer the program. The Beef Council has the expertise and runs on a cheap basis. The Beef Council will distribute money after it is released from the Department of Livestock. The bill fills a gap in the industry addressed in two previous referendums. It has the acceptance of the Industry and has considerable support.

Mons Teigen, representing the Montana Stockgrowers Association, and President of the Montana Cowbells, Jane Lindgren, said

they have 2,068 members to promote beef. They feel they are losing their share of the red meat market as beef is down 74% and chicken has doubled. They need funds for future services, consumer research, marketing, etc. Over 10,000 students benefit from the check-off money. They have started an elementary school education program, funded by the beef industry. Those not wishing to participate in the check-off may receive money back because of the clause in the bill.

Robb McNabb, Secretary of the Montana Beef Council and the Montana Marketing Council, highly recommends passage of this bill. He had two questions. One was answered by the change in date. It would be the intention to stop collection at the markets as of that date. He wondered if, under the voluntary refund services of the bill once it is recorded, if it is public information. He said the 25cents per head is not a large amount. However, down the road they may want to amend the bill for a larger amount. They have not been able to collect in the country and he wanted to know if it is public information.

Jimmy Wilson, second Vice President, Montana Stockgrowers Association, said he has worked on this for nine years. He felt the best way to fund the program is with everybody behind it.

Walter Johnson, rancher at Belt, asked for support. It serves two purposes. It funds research and promotion of the beef industry and provides for collections. The people who patronize the markets at the present time carry the Beef Council through. With this bill everyone will support it. They will now collect on all cattle. The beef market is very bad and they need something to help it along.

Chuck Jarecki, Western Montana Stockmens Association, Polson, said the funds the livestock and cattle industry are asking for amount to less cost to the average rancher than it would have cost the individual under the formula voted on under the last two beef referendums. The only complaint he received was the fact that the federal government was involved. This particular legislation is one that should alleviate those fears because it will be collected by the cattle industry in Montana.

Earl Lindgren, Montana Beef Council, said this same program is being launched all over the United States today. They have lost a tremendous amount of the beef market and the industry will be soon in serious trouble. Montana needs the cattle industry.

Representative Carl Smith, HD 57, rose in support of the bill.

Jo Brunner, WIFE, was in support. Statement attached.

Alice Frizlie, Montana Cattlemans Association, in support.

Les Graham, Department of Livestock, said they are prepared to accept the administration of this.

Jack Casey, Montana Cattle Feeders, in support.

Glenn Rugg, rancher in Plevna, in support.

Max Hensel, Cattle Feeders Association, in support.

Don Berg, Martinsdale, rancher, in support.

There were no opponents.

Senator Eck was told the amendment limits the use of the funds.

Les Graham said the State of Montana will not be able to use these funds for any purpose but the intent of the bill. They will handle the refunds required.

Representative Switzer said they would no longer be collecting fees at the markets.

Senator Kolstad asked how many of the groups present had polled their members. A show of hands indicated all of them had.

Senator Eck asked if this would raise the Department's staff. Les Graham said the amendments address that.

Senator Galt asked if the Department planned to keep records on people who ask for refunds. Les Graham said records will be kept and it will be public information. They will have to keep this along guidelines established by the Department of Administration.

CONSIDERATION OF HB 467: Representative Sivertsen, HD 7, said this bill creates an Alfalfa Seed Growers Committee, much the same as the Wheat Research and Marketing Committee. There were a few mistakes in the bill. The bill provides that the alfalfa seed growers will be assessed and be able to ask for money refunded.

Bob Brastrup, Montana Wheat Research and Marketing Committee, was in support. Statement attached.

Charlie Emmons, Broadus, President of Montana Alfalfa Seed Association, said they have polled members of the Montana Alfalfa Seed Association and they are very much in favor of HB 467.

Art Shaw, retired agronomist, said he has served for a period of 28 years and worked with the Montana seed producers. He was instrumental in introducing the leaf cutting bee in the 1960's. Seed production was at such a low level it was necessary to take such steps to bring the industry back to its current level. Two years ago they began an integrated pest management program to control parasites and disease. This program will be entirely self supporting in 1981 by the producers themselves. Large seed companies are looking to Montana to produce their seeds. They need additional research because little has been done in Montana. They have had problems with parasites and disease that need attention. He hoped HB 467 would pass.

Steve MacDonald, Three Forks farmer and rancher, said they have a need for the funds for research and marketing. They don't get

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funds because their industry is so small. They would have 1/2 of 1% assessment on all seed sold by them to provide funds for different purposes of research and help with the marketing process.

Representative Carl Smith, HD 57, said he had the bill in the House Agriculture Committee and heard the testimony. He has raised alfalfa seed for fifty years and supports the bill.

There were no opponents.

Senator Graham was told that four million dollars worth of seed was produced in Montana in the last three years. The tax would be about \$20,000. It is 1/2 of 1% at the point of sale.

DISPOSITION OF HB 596: Senator Boylan moved to amend HB 596 to add an effective date in the title and body of the bill. Motion carried unanimously.

Senator Boylan moved HB 596, AS AMENDED, BE CONCURRED IN. Motion unanimously carried. Senator Blaylock will carry the bill on the floor.

DISPOSITION OF HB 777: Senator Kolstad moved HB 777 BE NOT CONCURRED IN.

Senator Eck felt it was a good bill and it may be put to good use.

Senator Galt questioned what would happen if, in a hundred years, there is a 100 acre plot in the middle of Billings, or what if the conservation districts went out of business.

Senator Boylan said someone would have to take care of fire districts, weeds, rodent control, etc.

Senator Kolstad reminded the Committee that this was forever. The conservation district could sell it to anyone.

Roll call vote was taken and it was 8 YES and one NO. HOUSE BILL 777 WILL RECEIVE AN ADVERSE COMMITTEE REPORT. Senator Kolstad will carry the bill on the floor.

DISPOSITION OF HB 667: Senator Graham moved HB 667 BE CONCURRED IN. Motion unanimous. Senator Galt will carry the bill on the floor.

DISPOSITION OF HB 265: Senator Lee explained the amendments to HB 265. He said there was some objection that the bill was too strict. A "buffer" zone was added so that they are not running into the center of a field.

Senator Graham thought gophers were a real problem in the western part of the state and around Livingston. He felt the Committee should have passed the bill.

Senator Boylan agreed it was a problem in isolated areas.

March 13, 1981
page 5

Senator Eck said she would feel better if it didn't have the phrase "if you own 10% of the land in the district."

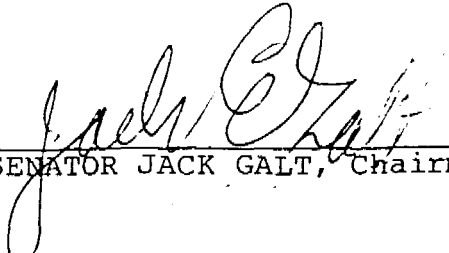
Senator Lee moved to strike "10% or more of the landowners within the district" and to adopt the other amendments proposed to the Committee. Motion unanimous.

Senator Graham moved HB 265, AS AMENDED, BE CONCURRED IN. Motion carried. Senators Lee, Eck, Aklestad and Ochsner voting NO.

DISPOSITION OF HB 740: Senator Lee moved the amendments to HB 740 be adopted. Motion unanimous.

Senator Eck moved HB 740, AS AMENDED, BE CONCURRED IN. Motion carried. Senator Eck will carry the bill on the floor.

There being no further business, the meeting adjourned.



SENATOR JACK GALT, Chairman

March 13 1981

MR. PRESIDENT

We, your committee on AGRICULTURE, LIVESTOCK AND IRRIGATION

having had under consideration HOUSE Bill No. 740

Switzer (S.M.)

Respectfully report as follows: That HOUSE Bill No. 740

third copy reading (blue), be amended as follows:

1. Page 1, line 13.

Following: "(a)"

Strike: "conduct and"

2. Page 4.

Following: line 16

Insert: "(4) The beef production research account may be assessed costs by the department for services it provides in administering [this act]. The costs charged must have a substantial relationship to the cost of the services provided.

(5) Money received under [this act] and deposited in the beef production research account may be used only for the purposes of [this act] and, except as provided in [section 6] may not be appropriated for any other use."

(continued)

XXXXXX:

March 13 1981

3. Page 4, line 20.

Following: "from"

Strike: "July"

Insert: "January"

4. Page 4, line 21.

Strike: "1981, to July"

Insert: "1982, to January"

5. Page 4, line 22.

Following: "beyond"

Strike: "July"

Insert: "January"

And as amended,
BE CONCURRED IN

And the Statement of Intent BE CONCURRED IN.

WITNESS STATEMENT

NAME Pat Underwood BILL No. HB 740
ADDRESS Box 1207 Bozeman MT. DATE MAR 13 1981
WHOM DO YOU REPRESENT Montana Farm Bureau
SUPPORT ☒ OPPOSE ☐ AMEND ☐

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

The Montana Farm Bureau supports
HB 740. We authorize the Montana
stock growers to testify for our
organizations.

Pat Underwood

WITNESS STATEMENT

NAME Jo Brunner BILL No. HB 740
ADDRESS Helena DATE 3/13
WHOM DO YOU REPRESENT W.I.F.E.
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: Mr Chairman, members of the
Committee, for the record, my name is
Jo Brunner and I speak today for
Women Involved in Farm Economics,
in support of House Bill 740.

W.I.F.E policy supports any industry
willing to assess themselves in order
to pay for the services required to
promote that industry.

Thank you.

WITNESS STATEMENT

NAME Mons Teigen House
BILL No. 740
ADDRESS Hedera DATE 3/13/81
WHOM DO YOU REPRESENT Montana State Women's Health Council
SUPPORT X OPPOSE / AMEND /

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Montana health professionals have reacted in the previous referendum to keep themselves to support a by research and information act. While this legislation it passed overwhelmingly in Montana. Our organizations have asked that this bill be introduced to accomplish on the state level what was impossible at the national level.



Glasgow Livestock Sales Company

Sales Every Thursday
GLASGOW, MONTANA 59230

March 11, 1981

Senate Agricultural Committee
Jack Galt, Chairman
c/o Montana State Senate
Helena, MT 59601

Dear Senator Galt:

It has been reported to me that house bill 740 is to be heard in senate committee Friday, March 13. Since it is impossible for me to be in Helena that day I have elected to present written testimony in favor of the bill. My business is directly involved in the marketing of livestock, cattle in particular, and it is very evident that if we promote the beef cattle business we can maintain our status as the number one red meat source. Since the livestock industry is the largest segment of the economy in Montana, a 25 cent per head checkoff seems a small price to pay to improve our market position. Every citizen of Montana stands to benefit from a strong beef cattle market.

I would, however, like to see the proposed legislation include a provision for public disclosure of refunds. As written any producer wishing a refund will have the prerogative to send in a written request to have the 25 cents per head refunded. These refunds should be available as general public information. This would enable the group in charge of promotion to know exactly what amount of funds are available and better plan the promotional budget.

Montana is recognized nationally as a leader in beef promotion. I ask your support and indorsement of house bill 740, inclusive of a provision for disclosure of refunds.

Sincerely,

Robert D. Fjeldheim,
President, Montana Beef Council

MONTANA CowBelles

SENATE AGRICULTURE COMMITTEE:

THE MONTANA COWBELLES WITH A STATE WIDE MEMBERSHIP OF 2,068, HAVE BEEN ORGANIZED SINCE 1952 PRIMARILY FOR THE PURPOSE OF BEEF PROMOTION. RECOGNIZING THE NEED FOR GOOD NUTRITION THE COWBELLES HAVE BEEN VERY ACTIVELY ENGAGED IN BEEF PROMOTION AND CONSUMER EDUCATION, NOT ONLY IN THE STATE OF MONTANA, BUT ON A NATIONAL LEVEL AS WELL.

THE COWBELLES HAVING WORKED IN THIS AREA OF THE BEEF INDUSTRY FOR OVER 25 YEARS, CAN PRODUCE FACTS AND FIGURES OF JUST HOW MUCH THE ANTI-BEEF PROPAGANDA, CHOLESTEROL, CANCER, DIET - HEALTH ISSUES HAVE HURT OUR BEEF INDUSTRY. WE ARE RAPIDLY LOSING OUR SHARE OF THE RED MEAT MARKET. IF WE CONTINUE TO ALLOW THIS TO HAPPEN, IT WILL NOT ONLY EFFECT THE BEEF INDUSTRY AS A WHOLE, BUT ALSO RELATED BUSINESSES AND THE ENTIRE COUNTRY WILL SUFFER.

OUR NATION HAS BECOME OBSESSED WITH CONCERN OVER NUTRITION AND "KILLER DISEASES". IN ORDER FOR THE BEEF INDUSTRY TO SURVIVE AND BE A PROFITABLE BUSINESS....WE NEED FUNDS FOR MORE FACTUAL RESEARCH....FUNDS FOR CONSUMER EDUCATION....FUNDS TO COMBAT ANTI-BEEF PROPAGANDA....FUNDS FOR BETTER ADVERTISING AND MARKETING OUR PRODUCT.

EVERY YEAR OVER 10,000 STUDENTS HERE IN MONTANA BENEFIT FROM CHECK-OFF MONEY THRU BEEF EDUCATION COURSES AND ALSO LEARNING TO ACTUALLY COOK WITH BEEF IN THE CLASSROOMS. WE HAVE ALSO STARTED AN ELEMENTARY NUTRITION PROGRAM.

WE IN THE BEEF INDUSTRY HAVE NEVER ASKED FOR GOVERNMENT HELP AND WE ARE NOT ASKING FOR ANY HELP NOW. THIS WOULD BE A SELF-HELP PROGRAM FUNDED BY THE PEOPLE IN OUR OWN INDUSTRY.

ALL WE ARE ASKING IN HOUSE BILL # 740 IS A LEGISLATED CHECK - OFF, SO, THAT ALL OF OUR OWN PEOPLE IN THE INDUSTRY WOULD BE PAYING THEIR FAIR SHARE FOR THE SURVIVAL AND BETTERMENT OF THE CATTLE INDUSTRY. THOSE WHO DO NOT CARE TO SHARE IN THIS MAY RECEIVE THEIR FUNDS BACK THRU A REFUND CLAUSE IN THE BILL.

WE VERY STRONGLY URGE THE SUPPORT OF THIS COMMITTEE TO GIVE A DO PASS RECOMMENDATION ON HOUSE BILL # 740.

THANK YOU!

JANE LINDGREN, PRESIDENT
MONTANA COWBELLES, INC



SENATE AGRICULTURE COMMITTEE:

HOUSE BILL # 740 IS A UNIQUE PIECE OF LEGISLATION, IN THAT IT DOES NOT ASK FOR FUNDS FROM THE STATE. RATHER IT ASKS FOR PERMISSION....IF YOU WILL... TO HAVE THE TREASURER IN EACH COUNTY COLLECT 25¢ PER HEAD ON ALL BEEF ANIMALS AS OF MARCH 1ST OF EACH YEAR. AS YOU CAN SEE, ALL MONIES WILL BE PAID BY ONLY THOSE PERSONS OWNING BEEF LIVESTOCK.

THERE IS ALSO A PROVISION, FOR THOSE THAT DO NOT WISH TO PARTICIPATE, IN RECEIVING THEIR 25¢ PER HEAD BACK IF THEY SO DESIRE. THIS PACKAGE MAKES FOR A SELF HELP PLAN FOR THE BEEF INDUSTRY OF NOT ONLY MONTANA BUT FOR ALL OF THE UNITED STATES. OUR NEIGHBORING STATE OF WYOMING HAS ALREADY PASSED LEGISLATION FOR THEIR 25¢ PER HEAD CHECK OFF, SIGNED BY THE GOVERNOR AND TO GO INTO EFFECT MAY 20TH.

THE MONIES THAT ARE DERIVED FROM THIS CHECK-OFF ARE DESPERATELY NEEDED TO HELP OUR FLOURISHING INDUSTRY.....IN PROMOTION, RESEARCH AND DEVELOPEMENT. IF WE DO NOT GET OUR PRODUCT MOVING AT A PROFIT.....AND I MIGHT ADD.....VERY SOON, SOME OF US MAY NOT BE IN BUSINESS IN THE FUTURE. WE IN THE BEEF BUSINESS, ARE WILLING TO SPEND OUR OWN MONEY TO TURN THE TIDE OF LESS BEEF PURCHASES BY THE CONSUMING PUBLIC AROUND.

LESS THAN A YEAR AGO, DOANES AGRICULTURE SERVICE CONDUCTED A SURVEY TO SEE IF THE CATTLE INDUSTRY WANTED AND NEEDED A CHECK-OFF..... THE RESULTS OF THIS SURVEY WAS AN OVER WHELMING.....YES! NOT ONLY IN MONTANA BUT NATION WIDE. BECAUSE OF THESE RESULTS WE ARE HERE TODAY TO ASK YOU TO HELP US BY PASSING LEGISLATION WHERE BY WE CAN ACHIEVE OUR GOALS.

WE HAVE IN THE PAST FEW YEARS LOST PART OF OUR MARKET DUE TO SOME ADVERSE PUBLICITY, WHICH, I MIGHT ADD WAS NOT ALL DOCUMENTED..... THIS IS THE MARKET THAT WE HOPE TO RECOVER BY THE MONIES THAT CAN BE DERIVED FROM THE LEGISLATIVE CHECK-OFF. LIVESTOCK BEING THE LARGEST INDUSTRY IN THE STATE OF MONTANA, WE KNOW OF THE GREAT IMPACT OUR PRODUCT PLAYS IN THE ROLE OF THE STATE ECONOMY. WE HOPE THAT THIS COMMITTEE WILL SEE FIT TO PASS HOUSE BILL # 740 AND HELP ALL OF THE PEOPLE IN MONTANA TO A MORE HEALTHY ECONOMY AND A NUTRITIOUS AND WHOLESOME DIET OF BEEF.

THANK YOU!

EARL A LINDGREN, MEMBER

MONTANA STOCKGROWERS
MONTANA BEEF COUNCIL
MONTANA CATTLE FEEDERS

House
BILLS 667, 740, 467

SENATE AGRICULTURE COMMITTEE

VISITORS' REGISTER

DATE 3-13-81

Please note bill no.

NAME	REPRESENTING	BILL #	(check one)	
			SUPPORT	OPPO
ROBIN MACNAB	MONTANA LIVESTOCK MARKETS ASSOCIATION	740	✓	
"	MONTANA BEEF COUNCIL	HB 740	✓	
Wendy Lindgren	Montana Cattle Raisers	740	✓	
Paul H. Lindgren	Montana Beef Council	740	✓	
Steve McDonnell	Mont. Alfalfa Seed Assn	HB 467	✓	
Arthur F. Shaw	Mont. Alfalfa Seed Assn	HB 467	✓	
Thomas A. Dewey	Mont. Alfalfa Seed Assn	HB 467	✓	
Wanda (Gymnast)	Mont. Alfalfa Seed Assn	HB 467	✓	
Tim Leberman	MT Livestock Dept	HB 740	✓	
Donna Henthorn	Cattle Feedlot	HB 740	✓	
Rep. Jean Luther	Spencer	HB 740	✓	
Marie Torgeson	W.L. Steinhilber	"	X	
Donna Smith	"	740	X	
Donna Smith	"	740	X	
JIMMIE L. WILSON	MSGA	HB 740	X	
Chuck Jarecki	WEST. MT. Stockmen's Assn	HB 740	X	
Bob Branstetter	Mont. Wheat Council	HB 467	X	
David A. Mattson	MSGA			
Jo Brunner	WIFE	667 740	✓	
John Heston	WIFE	667	✓	
Bill Heston	Montana Cattle Raisers	HB 740	✓	
Donald Bras	Panthers	HB 740	✓	
John Asay	MT. Cattle Feeders Assn	HB 740	✓	
Alma Lusk	MT. Cattle Feeders Assn	HB 740	✓	

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

SENATE AGRICULTURE COMMITTEE

BILL _____

VISITORS' REGISTER

DATE 3-13-68

Please note bill no.

(check one)

NAME

REPRESENTING

BILL #

SUPPORT OFF

OPF

Walt Johnson

Western Bull Terrier

240

X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

MINUTES OF THE MEETING
AGRICULTURE, LIVESTOCK AND IRRIGATION
MONTANA STATE SENATE

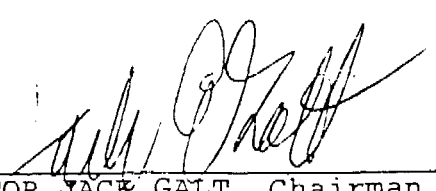
March 16, 1981

The Agriculture, Livestock and Irrigation Committee meeting was called to order on the above date by Chairman Galt, in Room 415 of the State Capitol Building at 1:00 p.m.

ROLL CALL: All members present.

Senator Graham moved the Statement of Intent for HB 740 be adopted. Motion unanimous.

There being no further business, the meeting was adjourned.



SENATOR JACK GALT, Chairman